MINUTES OF THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

U.S.A. vs Jorge Armando Silvas-Pena No. 08mj 1913

The Court finds excludable delay, under the section indicated by check (√), commenced on 6/26/08 and ended on 7/1/08 ; ( )
and ended on ______ . ( )

3161(h)

___(1)(A) Exam or hrg for **mental or physical incapacity** A

___(1)(B) **NARA examination** (28:2902) B

___(1)(D) State or Federal trials or **other charges pending** C

___(1)(E) **Interlocutory appeals** D

___(1)(F) **Pretrial motions** (from flg to hrg or other prompt dispo) E

___(1)(G) **Transfers from other district** (per FRCrP 20, 21 & 40) F

___(1)(J) **Proceedings under advisement** not to exceed thirty days G

___ Misc proc: Parole or prob rev, deportation, **extradition** H

___(1)(H) **Transportation** from another district or to/from examination or hospitalization in ten days or less 6

___(1)(I) Consideration by Court of **proposed plea agreement** 7

___(2) **Prosecution deferred** by mutual agreement I

_✓_(3)(A)(B) **Unavailability of defendant** or ~~**essential witness**~~ in hosp M

___(4) Period of **mental or physical incompetence** of defendant to stand trial N

___(5) Period of **NARA commitment or treatment** O

___(6) **Superseding indictment and/or new charges** P

___(7) **Defendant awaiting trial of co-defendant** when no severance has been granted R

___(8)(A)(B) **Continuances** granted per (h)(8)-use "T" alone if more than one of the reasons below are given in support of continuance T

___(8)(B)(I) 1) Failure to grant a **continuance** in the proceeding would result in a **miscarriage of justice** and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial. **(Continuance - miscarriage of justice)** T1

___ 2) Failure to grant a **continuance** of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted. **(Continuance - tendered a guilty plea)**

___(8)(B)(ii) 2) **Case** unusual or **complex** T2

___(8)(B)(iii) 3) **Indictment** following arrest **cannot be filed** in thirty (30) days T3

___(8)(B)(iv) 4) **Continuance** granted in order to obtain or substitute counsel, or give reasonable time to prepare **(Continuance re counsel)** T4

___3161(I) Time up to **withdrawal of guilty plea** U

___3161(b) **Grand jury indictment time extended** thirty (30) more days W

Date 6/24/08

Judge's Initials